

REMARKS

I. Claim Amendments

The Applicant has amended claims 1, 14, 18 and 23, in order to more particularly point out and distinctly claim the subject matter of the present invention. Such amendments, relating to the features of "the user's connection to the Internet", are fully supported by the specification, as published as U.S. Patent Application Publication No. 2001/0025275 A1. As an example, such features are clearly described at Paragraph 0084, describing a first embodiment of the present invention wherein the "Internet service provider provides the terminal server 5 at each of a plurality of access points in order to provide an Internet connection service through the telephone line".

Claims 1, 6, 11, 12, 14, 18, 21-23 and 26 have also been amended to correct formal errors relating to improper antecedent basis, as well as minor grammatical and typographical problems. Thus, it is respectfully submitted that the above amendments introduce no new matter into the present application.

Claims 15-17 and 31-33 have been canceled, pursuant to Applicant's election in the previous response of Invention I, including claims 1-14 and 18-30. In view of the Examiner's earlier restriction requirement, Applicant retains the right to present claims 15-17 and 31-33 in a later divisional application.

II. Non-art Rejections

The Examiner has rejected claims 1-14 and 18-30 under 35 U.S.C. § 112 as being indefinite. Applicant has amended independent claims 1, 14, 18 and 23 to correct language resulting in a lack of proper antecedent basis, as pointed out by the Examiner. The reconsideration and withdrawal of these rejections is respectfully requested.

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III. Art Rejections – 35 USC § 102(e) and 35 USC § 103(a)

Claims 1, 3-8, 10-12, 14, 18 and 20-23 stand rejected under 35 U.S.C. § 102(e) as being clearly anticipated by Bauer et al. (US 6,061,436). Applicant respectfully traverses this basis for rejection.

As noted above, Claim 1 has been amended to more specifically detail key features of the present invention, and to more particularly point out and distinctly claim the subject invention.

Present main claim 1, in its amended form, recites:

1. A system for Internet connections, the system having an access point for a user and connecting the user to an Internet through the access point, wherein the user makes a line connection to the access point, comprising:

a relaying means for relaying a network connection from a user terminal through the access point;

a monitoring means for monitoring the user's connection to the Internet;
and

a network connection fee calculation means for calculating an Internet connection fee for the user based on a monitoring result of said monitoring means, wherein said connection fee calculation means comprises:

a line connection fee calculation means for calculating a line connection fee for the line connection made by the user to said access point based on user signal source information, the signal source information being provided from a telephone company; and

a charge amount calculation means for calculating a charge amount for the user based on the line connection fee, calculated by said line connection fee calculation means.

An essential point of the present invention involves the ability of an Internet service provider (ISP) to achieve more flexible billing by calculating the line connections fees. These fee calculations occur at the ISP, based on signal source information received from a telephone company.

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As noted in the specification, conventional techniques resulted in a distinction between the ISP's line connection fee charged to the user, and the telephone fee charged from the telephone company to the ISP (e.g., in collect call or toll-free telephone lines, where the ISP, rather than the user, pays the telephone fee to the telephone company).

Such arrangements often caused the ISP to set significantly overvalued fees as the Internet connection fees. The ISP needed to do this, in order to balance against receiving unexpectedly higher bills from the telephone company (e.g., for accesses by the user from distant locations).

The present invention overcomes this problem by placing such fee calculations to the user under the control of the ISP. An important structural feature of the present invention involves the ISP's deciding a line connection fee for the Internet user, that remains reasonable in light of the user and in view of the telephone company's actual telephone charges to the ISP. Thus, if a user attempts to establish, for example, a dial-up connection with one of access points AP1- AP3, terminal servers installed at each of the access points determine whether an incoming signal from the telephone company (telephone switchboard) includes any signal source information (paragraphs 0098-00100). If not, a terminal server can refuse the line connection (thereby avoiding unnecessary charges to the ISP).

If the incoming signal from the telephone company includes the signal source information, the terminal servers proceed to connect the line, and transmit this signal source information, a user ID (member ID) and a password to a certification server. Such a system allows the ISP to, for example, set flexible discounted Internet rates for certain users, etc.

Thus, the present invention as presented in the above-noted amended claim 1, includes the following elements:

- 1) a system for Internet connections, including an access point for a user
- 2) a relaying means

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- 3) a monitoring means
- 4) a network connection fee calculation means for calculating an Internet connection fee for the user
- 5) a line connection fee calculations means which uses signal source information provided by a telephone company; and
- 6) a charge amount calculation means.

In contrast, Bauer discloses a system for billing a called party for services (e.g., a purchase of retail goods) delivered during a telephone call, which remains distinct from the establishment of the call. For example, a calling party services provider can provide a weekly newsletter through this system, irregardless of whether the called party is present to actually receive the call. Thus, Bauer covers billing and fee calculation functions occurring at the telephone company side, modified to cover goods/services unrelated to the actual call.

Bauer does not disclose a system for Internet connections, having an access point which connects the user to the Internet through the access point, wherein the user makes a line connection to the Internet through the access point. There exists no mention in Bauer of billing a line connection fee for a line connection made by a user to an access point, where the user connects to the Internet through such an access point, as defined in the present specification. Indeed, Applicant has amended claim 1 in the present response to further point out this "access point" feature, which remains critical to Internet connection systems of ISPs, as described in the present specification (see paragraphs 0004, 0098-0099 and 0161).

Thus, Bauer lacks the important element #1 of claim 1, as listed above. Additionally, since the remaining elements listed above (relaying means, monitoring means, line connection fee connection means) essentially incorporate this access point structure, Bauer essentially lacks much of the structure disclosed in the present invention.

Thus, Applicant respectfully submits that claim 1 patentably distinguishes and has clear novelty over Bauer. Claims 3-8 and 10-12 ultimately depend from and include all of the subject matter of claim 1, which has been shown to be allowable. Additionally, claims 14, 18 and 20-23 are similar in scope to the above-mentioned claims. Accordingly, all of claims 1, 3-8, 10-12, 14, 18 and 20-23 are allowable over the cited references.

The remaining claims 2, 9, 13, 19 and 24-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bauer and further in view of Short et al. (US 6,789,110). Applicant also respectfully traverses this basis for rejection.

As mentioned above, the present invention includes the calculation of "a line connection fee", where the user connects to the "Internet through the access point". Particularly, relating to claims 2, 9, 13, 19 and 24-27, the present invention relies on the presence of a user and the establishment and continuation of a user's connection to the Internet through such an access point. Indeed, claims 24-27 relate to distributing contents according to the user's or access point's geographical region, in real-time.

The present system must also account for varying access points utilized by the user, depending on the user's location (e.g., while on a business trip). It accomplishes this complex task through, for example, a substitute server 108 for managing dynamic IP addresses, which are temporarily assigned to the users (paragraph 0193).

As stated above, the system of the present invention allows the ISP greater flexibility in billing, by allowing the ISP to make line connection fee calculations, based on the access points used by the Internet users. It accomplishes this task by requiring only signal source information from the telephone company, while otherwise remaining separate from the telephone company.

In contrast, Bauer discloses a method for a service provider to bill for services delivered during a telephone call, even (for example) without the presence of the called party. The service provider may also bill for a delivered service, independent from the call duration or the per call

cost. A calling party may also order a service that gets delivered, separately and independently from the call.

Accordingly, the telephone system of Bauer is relatively simple compared to the subject invention, in that a telephone company can naturally calculate fees quite easily for connections under its control. It involves the modification of existing billing functions occurring at the telephone company side, in order to better cover goods/services unrelated to the actual call.

The other cited reference, Short, discloses an information and control console administered through a gateway interface. That invention allows a gateway administrator, an ISP and/or an application service provider (ASP) to provide real-time information to the user/subscriber. However, Short does not disclose calculating an Internet connection fee based on a line connection to an access point, determined from user signal source information (e.g., a telephone number) provided from a telephone company, as in the present invention.

To summarize the above observations regarding Bauer and the present invention, Bauer teaches: (1) telephone billing for goods/services separated from the actual telephone call; and (2) fee calculations accomplished by the telephone company. The present invention teaches (1) a system for Internet connections by an ISP, utilizing an Internet line connection through an access point by a user; and (2) the relaying and monitoring of such Internet line connections, and Internet connections fee calculations based on the same.

Applicant respectfully submits that a person of ordinary skill in the art would not have been motivated to go from the above-described simple telephone billing system of Bauer to Short, to thereby arrive at the complex ISP billing system and system for Internet connections utilizing access points, of the present invention.

Indeed, Applicant respectfully submits that the telephone billing system of Bauer, which relies on distinction from the establishment of the actual telephone call, teaches away from access point monitoring functions of the present invention.

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For all of the above stated reasons, claims 2, 9, 13, 19 and 24-27 patentably distinguish over any combination of the cited references. Additionally, the Examiner has asserted that claims 28-30 are not rejected on art. Those claims ultimately depend from and include all of the subject matter of claims 1 and 24, which have been shown to be allowable. Accordingly, claims 28-30 are also allowable over the cited references.

IV. Conclusion

Having fully addressed the Examiner's rejection of all of the claims 1-14 and 18-30, Applicant submits that the reasons for the Examiner's rejections have been overcome. Applicant respectfully requests that the amendments be entered and a timely Notice of Allowance be issued.

Should there be any questions or other matters of which resolution may be advanced by a telephone call, the Examiner is cordially invited to contact the Applicant's undersigned attorney at the number listed below. All correspondence should be directed to our below listed address.

Respectfully submitted,

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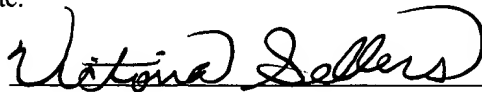


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